

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED
SCRANTON

OCT 18 2018

PER EA
DEPUTY CLERK

(1) Ira Kennedy mw8020
(Name of Plaintiff) (Inmate Number)

(Address)

(2) _____
(Name of Plaintiff) (Inmate Number)

(Address)

(Each named party must be numbered,
and all names must be printed or typed)

vs.

CIVIL COMPLAINT

(1) Sergeant Swartz

(2) C/O Harlow

(3) Deb Alvore
(Names of Defendants)

(Each named party must be numbered,
and all names must be printed or typed)

TO BE FILED UNDER: 42 U.S.C. § 1983 - STATE OFFICIALS

☒ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. PREVIOUS LAWSUITS

A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

① Sergeant Swartz .

employed as a Sergeant. At SCI Camp Hill.

mailing address. 2500 Lisburn Road

Camp Hill, PA 17001

② C/o Harlow

employed as a Corrections officer at S.C.I camp hill-

mailing address 2500 Lisburn road.

Camp Hill, PA 17001

③ Deb Alvore

employed as the facility manager at s.c.i camp hill.

mailing address 2500 lisburn road

camp hill, pa 17001

④ J. Heist.

employed as the Grievance coordinator At sci camp Hill

mailing address 2500 lisburn road

camp hill, PA 17001

⑤ Dorina Varner

Empolyed as Chief Grievance office At

The Secretary's office of Inmate Grievances and Appeals

mailing address. 1920 Technology Parkway

mechanicsburg, PA 17050

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ☐ No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☒ Yes ☐ No
- C. If your answer to "B" is Yes:
1. What steps did you take? I told officer Harlow and Sargent Swartz then I filed the initial Grievance
 2. What was the result? Grievance Denied
- D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS

- (1) Name of first defendant: Sargent Swartz
 Employed as Sargent at SCI Camp Hill
 Mailing address: _____
- (2) Name of second defendant: C/O Harlow
 Employed as Corrections officer at SCI Camp Hill
 Mailing address: _____
- (3) Name of third defendant: Deb Alvore
 Employed as Facility manager at SCI CAMHILL
 Mailing address: _____

(List any additional defendants, their employment, and addresses on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)

1. On 4-24-17 At 4:25pm, I told C/O Harlow that I felt woozy And that I took insulin At 3:00pm and ask why we are not going to eat first

I was panicing because I know my blood sugar

2. was low, I then approached Sgt Swatz and He began yelling at me, I yelled back and stated "No, my blood sugar is low, thats Dying Im Dying right now," I then told him I was going back to
3. my cell because I was scared, I had just yelled at a Sgt. Neither officer Did nothing. After I reported a life threatening medical emergency.

I mentioned the unit camera's which were not in place which places me and staff at risk, and the procedures SCI camp kills medical has in place concerning the time we Recieve insulin at 3:00 and are not fed until 4:30 through 5:00. and being inflicted with unnecessary Punishment while my sugar Dropped.

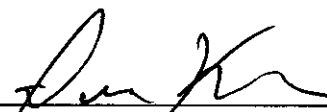
V. RELIEF

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I would like the court to award me punitive and or monetary Damages in the amount of \$500,000. as compensatory damages
2. I would like the court to order a change in the care for diebetics
3. I would like the court to order that staff be better trained to respond emergency circumstances when reported.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 10th day of October, 2018.



(Signature of Plaintiff)

**FORMS TO BE COMPLETED BY PRISONERS FILING A CIVIL RIGHTS
COMPLAINT UNDER 42 U.S.C. § 1983 or 28 U.S.C. § 1331**

COVER SHEET

THIS COVER SHEET CONTAINS IMPORTANT INFORMATION ABOUT FILING A COMPLAINT AND YOUR OBLIGATIONS IF YOU DO FILE A COMPLAINT. READ AND COMPLETE THE COVER SHEET BEFORE YOU PROCEED FURTHER.

The cost for filing a civil rights complaint is \$350.00.

If you do not have sufficient funds to pay the full filing fee of \$350.00 you need permission to proceed in forma pauperis. However, the court will assess and, when funds exist, immediately collect an initial partial filing fee of 20 percent of the greater of:

- 1) the average monthly deposits to your prison account for the past six months; or
- 2) the average monthly balance in your prison account for the past six months.

Thereafter, the institution in which you are incarcerated will be required to make monthly payments of 20% of the preceding month's deposits credited to your account until the entire filing fee is paid.

CAUTION: YOUR OBLIGATION TO PAY THE FULL FILING FEE WILL CONTINUE REGARDLESS OF THE OUTCOME OF YOUR CASE, EVEN IF YOUR COMPLAINT IS DISMISSED BEFORE THE DEFENDANTS ARE SERVED.

1. You shall file a complaint by completing and signing the attached complaint form and mailing it to the Clerk of Court along with the full filing fee of \$350.00. (In the event attachments are needed to complete the allegations in the complaint, no more than three (3) pages of attachments will be allowed.) If you submit the full filing fee along with the complaint, you DO NOT have to complete the rest of the forms in this packet. Check here if you are submitting the filing fee with the complaint form. _____

2. If you cannot afford to pay the fee, you may file a complaint under 28 U.S.C. § 1915 without paying the full filing fee at this time by completing the following: (1) Complaint Form; (2) Application To Proceed In Forma Pauperis; and (3) Authorization Form. You must properly complete, sign and submit all three standard forms or your complaint may be returned to you by the Clerk of Court. Check here if you are filing your complaint under 28 U.S.C. § 1915 without full prepayment of fees.

Please Note: If your case is allowed to proceed and you are awarded compensatory damages against a correctional facility or an official or agent of a correctional facility, the damage award will first be used to satisfy any outstanding restitution orders pending. Before payment of any compensatory damages, reasonable attempts will be made to notify the victims of the crime for which you were convicted concerning payment of such damages. The restitution orders must be fully paid before any part of the award goes to you.

DO NOT DETACH THE COVER SHEET FROM THE REST OF THE FORMS

Ira Kennedy MW-8020

Smart Communications / PA/Doc

SCI Frackville

P.O. 33028

St. Petersburg, FL 33733

INMATE MAIL
PA DEPT OF
CORRECTIONS

Hasler

10/16/2018

US POSTAGE \$0



RECEIVED
SCRANTON

OCT 18 2018

PEH

DEPUTY CLERK

United States District Court
For the

Middle District of Pennsylvania

William J. Nealon Federal Bldg. and U.S. Courthouse
235 North Washington Avenue

P.O. Box 1148

Scranton, PA 18501-1148

18501\$1148 B099

